GOVERNMENT OF ANDHRAPRADESH

ABSRACT

PUBLIC SERVICES – PR&RD Department – Allegations of irregularities in not handing over, inadequate, alienation, occupation of open spaces in approved layouts of Madhavapatnam(V) of Samalkota Mandal and Sarpavaram (V) of Kakinada Rural Mandal of East Godavari District by the realtors -Departmental action against Ch. Nageswara Rao the then Panchayat Secretary, Madhavapatnam GP, Samalkot Mandal, E.G District presently working at Katravulapalli GP, Jaggampet Mandal, E.G District, under Rule 20 of the Andhra Pradesh Civil Services (Clarification, Control and Appeal) 1991 –Article of Charges – Issued.

PANCHAYAT RAJ AND RURAL DEVELOPMENT (VIG.III) DEPARTMENT

G.O.RT.No. 259 Dated: 22-05-2020.

Read the following:

1. G.A.(V&E) Dept, Report No.51 (C.No:3918 V&E /D2/2018, Dt:14.02.2018.
2. Lr. No. 881486/CPR&RD/Vig/2019, Dated 05.12.2019 of CPR&RD, AP, Tadepalli, Guntur District
3. G.O.Rt. No. 267 PR&RD (Vig.III) Dept., Dated 08.03.2019.

ORDER:

It is proposed to hold an enquiry against Sri Ch.Nageswara Rao the then Panchayat Secretary, Madhavapatnam GP, Samalkot Mandal, East Godavari District presently working at Katravulapalli GP, Jaggampet Mandal, East Godavari District as per departmental procedure laid down i n Rule 20 o f A.P. Civil Services (CC&A) Rules 1991.

2. The substance of the imputation of misconduct or misbehaviour in respect of which the inquiry is proposed to be held is set out in the enclosed statement of articles of charge (Annexure-I) and the imputation of misconduct or misbehavior in support of each article of charge is enclosed (Annexure-II). A list of documents by which and a list of witnesses by whom the articles of charge are proposed to be sustained are also enclosed (Annexure-III & IV).

3. Sri Ch.Nageswara Rao the then Panchayat Secretary, Madhavapatnam GP, Samalkot Mandal, East Godavari District presently working at Katravulapalli GP, Jaggampet Mandal, East Godavari District is directed t o submit within (07) days of the receipt of this Order, a written statement of his defence.

4. Sri Ch. Nageswara Rao the then Panchayat Secretary, Madhavapatnam GP, Samalkot Mandal, East Godavari District presently working at Katravulapalli GP, Jaggampet Mandal, East Godavari District is informed that an enquiry will be held only in respect of that article of Charge which i s not admitted. He should therefore, specifically, admit or deny each article of charge.

5. Sri Ch. Nageswara Rao the then Panchayat Secretary, Madhavapatnam GP, Samalkot Mandal, East Godavari District presently working at Katravulapalli GP, Jaggampet Mandal, East Godavari District is further informed that if he does not submit his written statement o f defence on or before t h e date specified in Para-3 above further action will be proposed based on the material available.

6. Attention of Sri Ch.Nageswara Rao the then Panchayat Secretary, Madhavapatnam GP, Samalkot Mandal, East Godavari District presently working at Katravulapalli GP, Jaggampet Mandal, East Godavari District is invited t o Rule 24 of the A.P. Civil Services (Conduct) Rules 1964, under which no Government Servant shall being or attempt t o bring any political o r outside influence to bear upon any superior authority to further his interests in respect of matters pertaining to his service under the Government. If any representation is received on his behalf from any person in respect of any matter dealt within these Proceedings, it will be presumed that he is aware of such a representation and that it has been made at

(p.t.o)

his instance and action will be taken against him for violation of Rule 24 of the A.P. Civil Services (Conduct) Rules 1964.

7. The receipt of the proceedings shall be acknowledged along with Annexure-I, II III and IV.

(BY ORDER AND IN THE NAME OF THE GOVERNOR ANDHRA PRADESH)

GOPAL KRISHNA DWIVEDI
PRINCIPAL SECRETARY TO GOVERNMENT

To
Ch. Nageswara Rao the then Panchayat Secretary, Madhavapatnam GP, Samalkot Mandal, East Godavari District presently working at Katravulapalli GP, Jaggampet Mandal, East Godavari District (Through the Commissioner,PR & RD, Tadepalli, Guntur District.)

The Commissioner, PR&RD, Tadepalli. Guntur District (2 Copies) (With a request to serve the order on the charged Officer and furnish the acknowledgment with dated signature for record).

Copy to:
The GA(V&E) Department, PN Bus Station, Vijayawada.
The Secretary to Vigilance Commission, A.P.Vigilance Commission, A.P.Secretariat, Velagapudi
Sc/Sf

// FORWARDED::BY ORDER//

SECTION OFFICER

ANNEXERE — I

STATEMENT OF ARTICLE OF CHARGES FRAMED AGAINST CH. NAGESWARA RAO THE THEN PANCHAYAT SECRETARY, MADHAVAPATNAM GP, SAMALKOT MANDAL, East Godavari DISTRICT PRESENTLY WORKING AT KATRAVULAPALLI GP, JAGGAMPET MANDAL, EAST GODAVARI DISTRICT.

*****

That Sri Ch. Nageswara Rao, Panchayat Secretary, Katravulapalli GP, Jaggampet Mandal, East Godavari District while working as Panchayat Secretary, Madhavapatnam GP, Samalkot Mandal, East Godavari District has committed grave misconduct in as much as here in after called as Government servant.

Article of charge

That Sri Ch.Nageswara Rao, Panchayat Secretary, Katravulapalli GP, Jaggampet Mandal, East Godavari District while working as Panchayat Secretary, Madhavapatnam GP, Samalkot Mandal, East Godavari Dist has neglected his duties and failed to initiate any action for transfer of the open spaces in 6 layouts in favour of Madhavapatnam Gram Panchayat, not taken any action to protect the available identified open spaces in approved layouts in his jurisdiction. He has also failed to take any action on the noticed encroachments by the third parities into the demarcated open spaces, failed to deter the transactions and alienation of open spaces during his tenure from 17.05.2006 to 18.05.2013, which resulted in huge loss of revenue to the Government in the form of open spaces land value.

Thus he exhibited lack of devotion to duty and violated Rule 3 of AP Civil Services (conduct Rules), 1964.

Hence, the charge.

GOPAL KRISHNA DWIVEDI
PRINCIPAL SECRETARY TO GOVERNMENT

//FORWARDED::BY ORDER//

SECTION OFFICER

ANNEXURE –II

STATEMNT OF IMPUTATIONS OF MISCONDUCT OR MISBEHAVIOR IN SUPPORT OF ARTICLE OF CHARGES FRAMED AGAINST CH.NAGESWARA RAO THE THEN PANCHAYAT SECRETARY, MADHAVAPATNAM GP, SAMALKOT MANDAL, EAST GODAVRI DISTRICT PRESENTLY WORKING AT KATRAVULAPALLI GP, JAGGAMPET MANDAL, EAST GODAVRI DISTRICT

That Sri Ch. Nageswara Rao, Panchayat Secretary, Katravulapalli GP, Jaggampet Mandal, East Godavari District while working as Panchayat Secretary, Madhavapatnam GP, Samalkot Mandal, East Godavari Dist. has committed grave misconduct in as much as here in after called as Government servant..

Charge:

That Sri Ch.Nageswara Rao, Panchayat Secretary, Katravulapalli GP, Jaggampet Mandal, East Godavari District while working as Panchayat Secretary, Madhavapatnam GP, Samalkot Mandal, East Godavari District has neglected his duties and failed t o initiate any action for transfer of the open spaces i n 6 layouts in favour of Madhavapatnam Gram Panchayat, not taken any action to protect the available identified open spaces in approved layouts in his jurisdiction. He has also failed to take any action on the noticed encroachments by the third parities into the demarcated open spaces, failed to deter the transactions and alienation of open spaces during his tenure from 17.05.2006 to 18.05.2013, which resulted in huge loss of revenue to the Government in the form of open spaces land value.

Statement of imputation with facts and evidence:

1. Brief facts are that 6 layouts were formed and approved in madhavapatnam G.P in Sy. Nos. 40/P, 42/P, 44/P, 45/P, 46/P, 55P, 1/1-A,81, 40/2A, 2B, 59/2, 52/1,6/8, 6/9, 25/8 of Panchayat layouts were formed :-

(i) the realtor of L.P No. 7/92 of Madhavapatnam GP was partially registered open spaces 8,309 Sq. yards instead of 10,599 Sq. Yards to Gram Panchayat and yet to register 2,290 Sq. Yds of open space

(ii) In 2 Panchayat layout developers Penke Vasantha and Sri Matha Viswveswara Rao were not registered requisite 5% of open space to Madhavapatnam GP. The realtor of Penke Vasantha layout has shown open space as 200 Sq. yds instead of 532 Sq. yds in the layout map. Further, the said open space 200 Sq. Yds was also sold to some private persons.

(iii) The realtor of LP No. 42/2008 has shown 10% of open space (2,391 Sq. Yds) in the map and it was registered to Gram Panchayat.But on physical verification, it is found that open space available 2,294 Sq. yds only instead of 2,391 Sq. Yds on ground. Hence, there is shortage of 97 Sq. Yds.

(iv) The realtor of LP No. 6/2008 has shown 10% of open space (893Sq. Yds) in the map and it was registered to Gram Panchayat. But on physical verification, it is found that open space available 866 Sq.Yds only instead of 893 Sq. Yds on ground. Hence, there is shortage of 27 Sq. Yds.

(v) The realtor of LP No. 4/2010 has submitted unrelated layout to the Gram Panchayat under guise of approved layout map and benefitted. The realtor has not registered 10% of open space to the Gram Panchayat. The officials physically measured and noticed that only 817.96 Sq. Yds are available instead of 1108.36 Sq. Yds on ground. Hence, there is a shortage of 290.4 Sq. yrds.

2. The realtors did not hand over the requisite open space as per the conditions laid at the time of approval of plan to the Panchayat Secretary and did not obtain final approval / NOC from the G.P as per the layout norms The realtors are yet to be registered open spaces 50,550 Sq. Yds in their layouts to the GP. Further, they have sold away residential plots to individuals. The worth of the loss of open space 5,550 Sq. Yards is assessed as Rs. 34,96,20,000/- as per the basic land value

(p.t.o)

detailed furnished by sub registrar, Sarpavaram and Joint Registrar, Kakinada Urban.

3. The requisite open spaces are not left in certain layouts and not available on ground. There are instances of selling of the open spaces as well as encroachments. Such failure on the part of the Panchayat Raj Department &DTCP officials is noticed in the cases of 9 DTCP approved layouts and 3 panchayat layouts.

4. Sri Ch. Nageswara Rao worked as Panchayat Secretary, Madhavaram GP from 17.05.2006 to 18.05.2013. Due to his failure and lack of integrity,the open spaces (registered gift deed/yet to be registered) are occupying by the private persons.

Thus, the Government Servant Sri Ch. Nageswara Rao by his above mentioned act has exhibited, lack of integrity, devotion to duty and conduct, unbecoming of Government Servant and there by violation of Rules 3 (1) (2) & (5) of Andhra Pradesh Civil Services (Conduct) Rules, 1964.

GOPAL KRISHNA DWIVEDI
PRINCIPAL SECRETARY TO GOVERNMENT

//FORWARDED::BY ORDER//

SECTION OFFICER

ANNEXURE — III

LIST OF DOCUMENTS BY WHICH THE ARTICLE OF CHARGE FRAMED AGAINST CH. NAGESWARA RAO THE THEN PANCHAYAT SECRETARY, MADHAVAPATNAM GP, SAMALKOT MANDAL, EAST GODAVARI DISTRICT PRESENTLY WORKING AT KATRAVULAPALLI GP, JAGGAMPET MANDAL, EAST GODAVARI DISTRICT

1. G.A.(V&E) Dept, Report No.51 (C.No:3918 V&E /D2/2018, Dt:14.02.2018.

GOPAL KRISHNA DWIVEDI
PRINCIPAL SECRETARY TO GOVERNMENT

//FORWARDED::BY ORDER//

SECTION OFFICER

ANNEXURE — IV

LIST OF WITNESSES BY WHOM THE ARTICLE OF CHARGE FRAMED AGAINST CH. NAGESWARA RAO THE THEN PANCHAYAT SECRETARY,MADHAVAPATNAM GP, SAMALKOT MANDAL, E.G DISTRICT PRESENTLYWORKING AT KATRAVULAPALLI GP, JAGGAMPET MANDAL, EAST GODAVARI DISTRICT ARE PROPOSED TO BE SUSTAINED.

-NIL

GOPAL KRISHNA DWIVEDI
PRINCIPAL SECRETARY TO GOVERNMENT

//FORWARDED::BY ORDER//

SECTION OFFICER